

This listing of claims replaces all prior listings.

1. (Currently Amended) A positive electrode active material comprising particles having a layered structure, one layer of the structure the particles comprising a first compound oxide of lithium and nickel, the other layer of the structure being a coating layer, and the second coating layers formed on at least parts of the surfaces of the particles, the coating layers comprising a second compound oxide of lithium and titanium selected from the group consisting of $\text{Li}_4\text{Ti}_5\text{O}_{12}$, Li_2TiO_3 , $\text{Li}_2\text{Ti}_3\text{O}_{7a}$ and $\text{Li}_4\text{Ti}_{4.90}\text{Mn}_{0.10}\text{O}_{12}$.

2. (Original) The positive electrode active material according to claim 1, wherein the ratio by weight of the first compound oxide to the second compound oxide is between 96:4 and 65:35.

3. (Original) The positive electrode active material according to claim 1, wherein the second compound oxide has a spinel structure in the cubic system.

4. (Original) The positive electrode active material according to claim 1, wherein the positive electrode active material has a mean particle diameter of 5 to 20 μm .

5. (Currently Amended) A non-aqueous electrolyte secondary battery comprising a positive electrode active material and a negative electrode active material, ~~wherein the positive electrode active material comprises particles having a layered structure, the particles comprising a first compound oxide of lithium and nickel; and coating layers formed on at least parts of the surfaces of the particles, the coating layers comprising a second compound oxide of lithium and titanium~~ the positive active material comprising particles having a layered structure, one layer of the structure the particles comprising a first compound oxide of lithium and nickel, the other layer of the structure being a coating layer, and the second coating layers formed on at least parts of the surfaces of the particles, the coating layers comprising a second compound oxide of lithium and titanium selected from the group consisting of $\text{Li}_4\text{Ti}_5\text{O}_{12}$, Li_2TiO_3 , $\text{Li}_2\text{Ti}_3\text{O}_{7a}$ and $\text{Li}_4\text{Ti}_{4.90}\text{Mn}_{0.10}\text{O}_{12}$.